

The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ESTHER HOFFMAN, et al.

Plaintiffs,

vs.

TRANSWORLD SYSTEMS, INC., et al.

Defendants.

NO. C18-1132-TSZ

STIPULATED MOTION AND
ORDER TO SEAL IDENTITY OF
NONPARTY FACT WITNESS

I. STIPULATED MOTION

The Parties stipulate and jointly request that the Court seal the identity of a nonparty fact witness referred to as “Affiant X” in a forthcoming Motion to Quash Subpoena and for Protective Order, and any pleadings filed in opposition and reply to the Motion, so that documents related to the nonparty fact witness may be filed on the record with Affiant X’s name and any pronouns reflecting Affiant X’s gender redacted. Affiant X seeks to file a Motion to Quash Plaintiffs’ Subpoena for Oral Deposition and for Protective Order (hereafter, “Motion to Quash”) with this Court. In support of this anticipated Motion, Affiant X will file medical records and declarations in support of Affiant X’s Motion that contain private health information and is confidential. By entering into this Stipulation, the Parties are agreeing to limit the redactions of Affiant X’s identity to the Motion to Quash and its related filings, including the

STIPULATED MOTION AND ORDER TO
SEAL IDENTITY OF NONPARTY FACT
WITNESS - NO. C18-1132-TSZ

- 1 -

Betts
Patterson
Mines
One Convention Place
Suite 1400
701 Pike Street
Seattle, Washington 98101-3927
(206) 292-9988

appearance of Affiant X's counsel. The Parties, however, do not agree to redact Affiant X's identity in other areas of the record (*i.e.*, if referenced in Motions for Summary Judgment, oppositions thereto, deposition notices, etc.). The purpose of redacting Affiant X's name in the Motion to Quash is to protect Affiant X's personal medical history.

The Parties in this matter have entered into a Stipulated Protective Order. Dkt. No. 194. Paragraph 2(A) of the Stipulated Protective Order stipulates that "nonpublic personal information, including, but not limited to, medical information,...and other nonpublic personal identifiers and information" are considered "confidential material."

In lieu of filing the documents under seal on the record, the Parties have agreed to refer to the nonparty witness as "Affiant X" in the Motion to Quash and its related filings. The Parties further have agreed to redact reference to Affiant X's name, gender pronouns, and other personal identifiers in the Motion to Quash and its related filings.

DATED this 14th day of September, 2021.

Counsel for Plaintiffs

LEONARD LAW

/s/ Sam Leonard

Sam Leonard, WSBA #46498
sam@seattledebtddefense.com

BERRY & BECKETT, PLLP

/s/ Guy W. Beckett

Guy W. Beckett, WSBA #14939
gbeckett@beckettllaw.com

HENRY & DEGRAAF, P.S.

/s/ Christina L. Henry

Christina L. Henry, WSBA #31273
chenry@HDM-legal.com

NORTHWEST CONSUMER LAW

/s/ Amanda N. Martin

Amanda N. Martin, WSBA #49581
Amanda@NWCLC.org

Attorneys for Defendants National Collegiate Student Loan Trust

/s/ Gregory T. Casamento

Gregory T. Casamento, *Pro Hac Vice*
R. James DeRose, III, *Pro Hac Vice*
J. Matthew Goodin, *Pro Hac Vice*

/s/ Tim J. Filer

Tim J. Filer, WSBA #16285
Foster Garvey, PC
1111 Third Avenue, Suite 3000

STIPULATED MOTION AND ORDER TO
SEAL IDENTITY OF NONPARTY FACT
WITNESS - NO. C18-1132-TSZ

Locke Lord LLP
gcasamento@lockelord.com
rderose@lockelord.com
jmgoodin@lockelord.com

Seattle, WA 98101
tim.filer@foster.com

Attorneys for Defendant Transworld Systems, Inc.

SESSIONS, ISRAEL & SHARTLE

WILLIAMS KASTNER & GIBBS, PLLC

/s/ James K. Schultz
James K. Schultz, *Pro Hac Vice*
Justin Homes, *Pro Hac Vice*
Bryan C. Shartle, *Pro Hac Vice*
jschultz@sessions.legal
jhomes@sessions.legal
bshartle@sessions.legal

/s/ Ryan W. Vollans
Ryan W. Vollans, WSBA #45302
rvollans@williamskastner.com

Attorney for Defendants Patenaude & Felix, A.P.C, Matthew Cheung, and Cheung, marital community

LEE SMART, P.S., INC.

/s/ Marc Rosenberg
Marc Rosenberg, WSBA #31034
mr@leesmart.com

Attorney for Nonparty Fact Witness Affiant X

BETTS, PATTERSON & MINES, P.S.

/s/ Natasha A. Khachatourians
Natasha A. Khachatourians, WSBA #42685
nkhachatourians@bpmlaw.com

STIPULATED MOTION AND ORDER TO
SEAL IDENTITY OF NONPARTY FACT
WITNESS - NO. C18-1132-TSZ

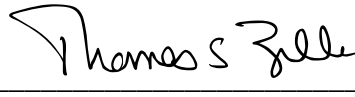
Betts
Patterson
Mines
One Convention Place
Suite 1400
701 Pike Street
Seattle, Washington 98101-3927
(206) 292-9988

II. ORDER

THIS MATTER having come before the Court upon the stipulation of the Parties, docket no. 199, the Court having reviewed and considered the Stipulation finds good cause and compelling reason to seal the non-party fact witness's identity in Affiant X's Motion to Quash and its related filings, including the appearance of Affiant X's attorneys.

IT IS HEREBY ORDERED that the non-party fact witness will be referenced as Affiant X and documents referencing Affiant X by name will redact Affiant X's name, gender pronouns, and other personal identifiers in the Motion to Quash and its related filings.

Dated this 17th day of September, 2021.



Thomas S. Zilly
United States District Judge

STIPULATED MOTION AND ORDER TO
SEAL IDENTITY OF NONPARTY FACT
WITNESS - NO. C18-1132-TSZ

- 4 -